
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JEREMIAH JOSEPH SMITH,

Defendant.

**MEMORANDUM DECISION
AND ORDER**

Case No.1:11CR133DAK

Dale A. Kimball

Defendant Jeremiah Joseph Smith has filed a renewed motion for early termination of supervised release. On June 26, 2013, this court sentenced Defendant to thirty-three months incarceration and a term of thirty-six months of supervised release. Defendant began serving his supervised release on April 2, 2014. Therefore, Defendant's term of supervised release is not set to terminate until April 2, 2017.


Pursuant to 18 U.S.C. § 3583(e)(1), after considering the factors set forth in Section 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), and (a)(6), the court may terminate a term of supervised release "at any time after the expiration of one year of supervised release . . . if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice." The factors to be considered in Section 3553(a) are those factors to be considered in imposing a sentence, including "the nature and circumstances of the offense and the history and characteristics of the defendant," the applicable sentencing guidelines and any

policy statements issued by the Sentencing Commission, and the need for the sentence imposed to promote respect for the law, to provide just punishment, to deter other criminal conduct, and to provide the defendant with needed services. *See* 18 U.S.C. § 3553(a).

Defendant's motion is supported by his probation officer. Defendant has maintained employment consistently and done well on supervision. Defendant has completed all the programs required during his supervision and paid his fines. Defendant is currently living with his sister and has good family support. Defendant has had no issues with drug testing for over a year. Therefore, the court concludes that early termination of supervised release is warranted. Accordingly, Defendant's motion to terminate supervised release is GRANTED.

DATED this 19th day of January, 2016.

BY THE COURT:



DALE A. KIMBALL
United States District Judge